

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

FILED  
OCT 26 2007

U.S. DISTRICT COURT  
ELKINS WV 26241

JIMMIE L. HINLEY,

Plaintiff,

v.

CIVIL ACTION NO. 1:07-CV-64

MICHAEL J. ASTRUE,<sup>1</sup>  
COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

**ORDER**

On this day came Defendant, Michael J. Astrue, Commissioner of Social Security, and moved the Court to enlarge the time within which Defendant may file his motion for summary judgment, and it appearing to the Court that good cause exists for said motion, it is hereby

**ORDERED** that the time within which Defendant may file is extended and enlarged up to and including the 2<sup>nd</sup> day of November, 2007.

Date: October 26, 2007

  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> On February 12, 2007, Michael J. Astrue became the Commissioner of Social Security. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue should be substituted, therefore, for former Commissioner Jo Anne B. Barnhart as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).